

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-01324-DLF**

PRIVACY INTERNATIONAL v. NATIONAL SECURITY
AGENCY et al
Assigned to: Judge Dabney L. Friedrich
Cause: 05:552 Freedom of Information Act

Date Filed: 07/05/2017
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

PRIVACY INTERNATIONAL

represented by **David A. Schulz**
MEDIA FREEDOM & INFORMATION
ACCESS CLINIC
Yale Law School
P.O. Box 208215
New Haven, CT 06520
(203) 436-5827
Email: schulzd@ballardspahr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Hannah Corey Bloch-Wehba
Media Freedom & Information Access
Clinic
127 Wall St
New Haven, CT 06520
(203) 436-5824
Email: hannah.bloch-wehba@yale.edu
ATTORNEY TO BE NOTICED

V.

Defendant

NATIONAL SECURITY AGENCY

represented by **Caroline J. Anderson**
U.S. DEPARTMENT OF JUSTICE
950 Pennsylvania Avenue, NW
Washington, DC 20530
(202) 353-6417
Fax: (202) 616-2645
Email: caroline.j.anderson@usdoj.gov
TERMINATED: 01/29/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marcia Kay Sowles
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20530
(202) 514-4960
Fax: (202) 616-8470
Email: marcia.sowles@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**OFFICE OF THE DIRECTOR OF
NATIONAL INTELLIGENCE**

represented by **Caroline J. Anderson**
(See above for address)
TERMINATED: 01/29/2018

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marcia Kay Sowles
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DEPARTMENT OF STATE

represented by **Caroline J. Anderson**
 (See above for address)
TERMINATED: 01/29/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marcia Kay Sowles
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**NATIONAL ARCHIVES AND
 RECORDS ADMINISTRATION**

represented by **Caroline J. Anderson**
 (See above for address)
TERMINATED: 01/29/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marcia Kay Sowles
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/05/2017	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0090-5017745) filed by PRIVACY INTERNATIONAL. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Civil Cover Sheet, # <u>4</u> Summons to National Security Agency, # <u>5</u> Summons to Office of the Director of National Intelligence, # <u>6</u> Summons to Department of State, # <u>7</u> Summons to National Archives and Records Administration, # <u>8</u> Summons to Attorney General Jeff Sessions, # <u>9</u> Summons to United States Attorney for the District of Columbia)(Bloch-Wehba, Hannah) (Entered: 07/05/2017)
07/05/2017		Case Assigned to Judge Amit P. Mehta. (sth) (Entered: 07/05/2017)
07/05/2017	<u>2</u>	SUMMONS (6) Issued Electronically as to DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons)(sth) (Entered: 07/05/2017)
08/16/2017	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/20/2017. Answer due for ALL FEDERAL DEFENDANTS by 8/19/2017. (Bloch-Wehba, Hannah) (Main Document 3 replaced on 8/17/2017) (znmw). (Entered: 08/16/2017)
08/16/2017	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 07/20/2017. (Bloch-Wehba, Hannah) (Main Document 4 replaced on 8/17/2017) (znmw). (Entered: 08/16/2017)
08/16/2017	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. NATIONAL SECURITY AGENCY served on 7/18/2017 (Bloch-Wehba, Hannah) (Main Document 5 replaced on 8/17/2017) (znmw). (Entered: 08/16/2017)

08/16/2017	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE served on 7/20/2017 (Bloch-Wehba, Hannah) (Main Document 6 replaced on 8/17/2017) (znmw). (Entered: 08/16/2017)
08/16/2017	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION served on 7/31/2017 (Bloch-Wehba, Hannah) (Main Document 7 replaced on 8/17/2017) (znmw). (Entered: 08/16/2017)
08/16/2017	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF STATE served on 8/14/2017 (Bloch-Wehba, Hannah) (Main Document 8 replaced on 8/17/2017) (znmw). (Entered: 08/16/2017)
08/21/2017	<u>9</u>	ANSWER to Complaint by DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M)(Anderson, Caroline) (Entered: 08/21/2017)
08/21/2017	<u>10</u>	ORDER: Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before September 5, 2017. See attached Order for additional details. Signed by Judge Amit P. Mehta on 08/21/2017. (lcamp3) (Entered: 08/21/2017)
08/21/2017		Set/Reset Deadlines/Hearings: Joint Status Report due by 9/5/2017. (zcdw) (Entered: 08/22/2017)
09/05/2017	<u>11</u>	Joint STATUS REPORT by DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Anderson, Caroline) (Entered: 09/05/2017)
09/05/2017		MINUTE ORDER: In light of <u>11</u> the parties' Joint Status Report, the parties shall submit a subsequent Joint Status Report on or before October 5, 2017. Signed by Judge Amit P. Mehta on 09/05/2017. (lcamp3) (Entered: 09/05/2017)
10/05/2017	<u>12</u>	Joint STATUS REPORT by DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Anderson, Caroline) (Entered: 10/05/2017)
10/06/2017		MINUTE ORDER: In light of <u>12</u> the parties' Joint Status Report, the parties shall submit a subsequent Joint Status Report on or before December 5, 2017. Signed by Judge Amit P. Mehta on 10/06/2017. (lcamp3) (Entered: 10/06/2017)
10/06/2017		Set/Reset Deadlines/Hearings: Joint Status Report due by 12/5/2017. (zcdw) (Entered: 10/07/2017)
12/05/2017		Case directly reassigned to Judge Dabney L. Friedrich. Judge Amit P. Mehta is no longer assigned to the case. (ztnr) (Entered: 12/05/2017)
12/05/2017	<u>13</u>	Joint STATUS REPORT by DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Anderson, Caroline) (Entered: 12/05/2017)
12/15/2017		MINUTE ORDER. In light of the parties' <u>13</u> Joint Status Report, the parties shall submit a subsequent Joint Status Report on or before February 5, 2018. Signed by Judge Dabney L. Friedrich on December 15, 2017. (JPF) (Entered: 12/15/2017)
01/29/2018	<u>14</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Marcia Kay Sowles on behalf of All Defendants Substituting for attorney Caroline J. Anderson (Sowles, Marcia) (Entered: 01/29/2018)
02/05/2018	<u>15</u>	Joint STATUS REPORT by DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (Sowles, Marcia)

		(Entered: 02/05/2018)
02/05/2018		MINUTE ORDER. In light of the parties' <u>15</u> Joint Status Report, a subsequent Joint Status Report addressing productions by the National Security Agency (NSA) and the Department of State shall be submitted on or before March 2, 2018. A subsequent Joint Status Report addressing productions by the National Archives and Records Administration (NARA) shall be submitted on or before April 6, 2018. Signed by Judge Dabney L. Friedrich on February 5, 2018. (JK) (Entered: 02/05/2018)
03/02/2018	<u>16</u>	Joint STATUS REPORT by PRIVACY INTERNATIONAL. (Bloch-Wehba, Hannah) (Entered: 03/02/2018)
03/05/2018		MINUTE ORDER. In light of the parties' <u>16</u> Joint Status Report, a subsequent status report addressing productions by the National Security Agency (NSA) and the Department of State shall be submitted on or before April 6, 2018. Signed by Judge Dabney L. Friedrich on March 5, 2018. (JK) (Entered: 03/05/2018)
04/06/2018	<u>17</u>	Joint STATUS REPORT by DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. (Sowles, Marcia) (Entered: 04/06/2018)
04/12/2018		MINUTE ORDER. Upon consideration of the positions set forth by the parties in the <u>17</u> Joint Status Report, it is ORDERED that the parties shall file a further joint status report on or before May 18, 2018. Signed by Judge Dabney L. Friedrich on April 12, 2018. (JK) (Entered: 04/12/2018)
05/18/2018	<u>18</u>	Joint STATUS REPORT by DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. (Sowles, Marcia) (Entered: 05/18/2018)
05/21/2018		MINUTE ORDER. In light of the parties' <u>18</u> Joint Status Report, a subsequent Joint Status Report addressing productions by the National Security Agency (NSA), the Department of State and the National Archives and Records Administration (NARA) shall be submitted on or before June 29, 2018. Signed by Judge Dabney L. Friedrich on May 21, 2018. (JK) (Entered: 05/21/2018)
06/29/2018	<u>19</u>	Joint STATUS REPORT by DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. (Sowles, Marcia) (Entered: 06/29/2018)
07/06/2018		MINUTE ORDER. In light of the parties' <u>19</u> Joint Status Report, a Joint Status Report addressing productions by the National Security Agency (NSA), the Department of State, and the National Archives and Records Administration (NARA) shall be submitted on or before August 10, 2018. Signed by Judge Dabney L. Friedrich on July 6, 2018. (JK) (Entered: 07/06/2018)
08/09/2018	<u>20</u>	NOTICE of Appearance by David A. Schulz on behalf of PRIVACY INTERNATIONAL (Schulz, David) (Entered: 08/09/2018)
08/10/2018	<u>21</u>	Joint STATUS REPORT by DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. (Sowles, Marcia) (Entered: 08/10/2018)
08/10/2018		MINUTE ORDER. Upon consideration of the <u>21</u> Joint Status Report, it is ORDERED that the parties shall submit another joint status report on or before October 19, 2018. Signed by Judge Dabney L. Friedrich on August 10, 2018. (JK) (Entered: 08/10/2018)
08/10/2018		Set/Reset Deadlines/Hearings: Joint Status Report due by 10/19/2018. (jl) (Entered: 08/13/2018)
10/03/2018	<u>22</u>	NOTICE of Change of Address by Marcia Kay Sowles (Sowles, Marcia) (Entered: 10/03/2018)
10/19/2018	<u>23</u>	Joint STATUS REPORT by DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. (Sowles, Marcia) (Entered: 10/19/2018)
10/19/2018		MINUTE ORDER. Upon consideration of the parties' <u>23</u> Joint Status Report it is ORDERED that the parties shall submit another joint status report on or before

		November 16, 2018. Signed by Judge Dabney L. Friedrich on October 19, 2018. (JK) (Entered: 10/19/2018)
11/16/2018	<u>24</u>	Joint STATUS REPORT by DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY. (Sowles, Marcia) (Entered: 11/16/2018)
11/20/2018		MINUTE ORDER. Upon consideration of the parties' <u>24</u> Joint Status Report, it is ORDERED that the parties shall submit another joint status report on or before January 18, 2019. Signed by Judge Dabney L. Friedrich on November 20, 2018. (JK) (Entered: 11/20/2018)
01/17/2019	<u>25</u>	Unopposed MOTION to Stay <i>Due to Lapse in Appropriations</i> by DEPARTMENT OF STATE, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (Sowles, Marcia) (Entered: 01/17/2019)
01/17/2019		MINUTE ORDER granting in part the defendants' <u>25</u> Motion for a Stay of Order in Light of Lapse of Appropriations. It is ORDERED that the parties shall confer and file a joint status report within seven days of Congress restoring appropriations to the Department of Justice. Signed by Judge Dabney L. Friedrich on January 17, 2019. (JK) (Entered: 01/17/2019)